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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER CARDINAL, et al.,

Plaintiffs,

v.

JOHN LUPO, et al.,

Defendants.

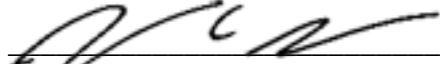
Case No. [18-cv-00272-JCS](#)

COURT'S FINAL VERDICT FORM

The Court intends to use the attached verdict form.

IT IS SO ORDERED.

Dated: December 9, 2019


JOSEPH C. SPERO
Chief Magistrate Judge

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VERDICT FORM

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3 We, the jury, unanimously find as follows:

4 **PART A: INTENTIONAL MISREPRESENTATION**

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6 **1. Is John Lupo liable to Christopher Cardinal for intentional
misrepresentation?**

7

8 Yes No

9

10 *If your answer to Question 1 is “Yes,” continue to Question 2. If your answer to Question 1 is
11 “No,” do not answer any further questions in Part A, and instead continue to Part B.*

12

13 **2. What are Christopher Cardinal’s damages for John Lupo’s intentional
misrepresentation? Do not include any damages here for solicitation of
14 employees. Do not include any punitive damages.**

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16 \$ _____

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18 Continue to Question 3.

19

20 **3. Did John Lupo make a false representation to Christopher Cardinal with
malice, oppression, or fraud?**

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22 Yes No

23

24 *If your answer to Question 3 is “Yes,” continue to Question 4. If your answer to Question 3 is
25 “No,” do not answer any further questions in Part A, and instead continue to Part C.*

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27 **4. What amount of punitive damages, if any, do you award Christopher Cardinal
against John Lupo?**

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31 Continue to Part C.

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PART B: NEGLIGENT MISREPRESENTATION

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34 *Begin Part B only if you answered “No” to Question 1 in Part A. If you answered “Yes” to
35 Question 1, do not answer any questions in Part B, and instead continue to Part C.*

36

37 **5. Is John Lupo liable to Christopher Cardinal for negligent misrepresentation?**

38

39 Yes No

40

41 *If your answer to Question 5 is “Yes,” continue to Question 6. If your answer to Question 5 is
42 “No,” do not answer Question 6, and instead continue to Part C.*

6. What are Christopher Cardinal's damages for John Lupo's negligent misrepresentation? Do not include any damages here for solicitation of employees. Do not include any punitive damages.

\$ _____

Continue to Part C.

PART C: BREACH OF CONTRACT—CHRISTOPHER CARDINAL'S CLAIM

Begin Part C regardless of how you answered the earlier questions.

7. Is John Lupo liable to Christopher Cardinal for breach of Section 4.7 (Non-Solicitation Covenant) of the contract?

Yes No

If your answer to Question 7 is “Yes,” continue to Question 8. If your answer to Question 7 is “No,” do not answer any further questions in Part C, and instead continue to Part D.

8. What are Christopher Cardinal's damages for John Lupo's breach of Section 4.7 of the contract?

\$_____

Continue to Part D.

PART D: BREACH OF CONTRACT—JOHN LUPO'S CLAIM

Begin Part D regardless of how you answered the earlier questions.

9. Is Christopher Cardinal liable to John Lupo for breach of the contract?

Yes _____ No _____

If your answer to Question 9 is “Yes,” continue to Question 10. If your answer to Question 9 is “No,” do not answer Question 10, and instead continue to Part E.

10. What are John Lupo's damages for Christopher Cardinal's breach of the contract?

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Continue to Part E

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PART E: SIGNATURE

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Have the presiding juror sign and date this verdict form. After the presiding juror has signed and dated the verdict form, notify the courtroom deputy that you have reached a verdict.

Signed: _____

Presiding Juror

Dated: _____